

containing information and arguments pertinent to the subject matter of the investigations. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

Issued: November 1, 2006.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Delaware Hazardous Substances Cleanup Act

Notice is hereby given that on September 29, 2006, a proposed Consent Decree in *United States and the State of Delaware v. E.I. Dupont De Nemours & Company, Inc., and CIBA Specialty Chemicals Corporation*, Civil Action No. 06-612 was lodged with the United States District Court for the District of Delaware.

In this action the United States and the State of Delaware sought claims for natural resource damages brought pursuant to the Comprehensive

Environmental Response, Compensation, and Liability Act ("CERCLA"), as amended, 42 U.S.C. 9601 *et seq.* and the Delaware Hazardous Substance Cleanup Act ("HSCA"), 7 *Del. C.* Chapter 91 with respect to the release of hazardous substances from DuPont-Newport chemical facility, located in Newport, Delaware. Under the proposed Consent Decree, the defendants will fund restoration projects on the "Pike Property" as set forth in the Damage Assessment and Restoration Plan ("DARP", attached to the Consent Decree), and the State of Delaware will hold an environmental covenant for the Pike Property to protect it in perpetuity. Defendants will reimburse each Trustee for its Damage Assessment Costs, and make a payment to Delaware for groundwater injuries. The total value of the settlement as set forth in the Consent Decree is \$1.6 million.

The Department of Justice will receive for a period of fifteen (15) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States and the State of Delaware v. E.I. Du Pont De Nemours & Company, Inc., and CIBA Specialty Chemicals Corporation*, D.J. Ref. 90-11-2-883/2.

The Consent Decree may be examined at the Office of the United States Attorney, for the District of Delaware, 1007 Orange Street, Suite 700, Wilmington, Delaware. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$6.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

A copy of the Consent Decree may also be obtained at the offices of the Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, Site Investigation and Restoration Branch, 391 Lukens Drive, New Castle, Delaware 19720, Main phone number:

302-395-2600, Site Name: DuPont Newport NRDA DE-X009. Contacts: Jane Biggs Sanger, Elizabeth LaSorte, or Robert Newsome. An electronic version of the Consent Decree and the DARP can be viewed at <http://apps.dnrec.state.de.us/intraviewer/session/frmmain.cfm>.

Robert Brook,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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DEPARTMENT OF JUSTICE

Antitrust Division

United States v. Dairy Farmers of America, Inc.; Proposed Final Judgement and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b) through (h), that a proposed Final Judgement, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the Eastern District of Kentucky in *United States of America and Commonwealth of Kentucky v. Dairy Farmers of America, Inc. and Southern Belle Dairy Co., LLC*, No. 6:03-cv-206. On April 24, 2003, the United States and Commonwealth of Kentucky filed a Complaint alleging that the acquisition by DFA of an ownership interest in Southern Belle Dairy Co., LLC ("Southern Belle"), violated Section 7 of the Clayton Act, 15 U.S.C. 18. An Amended Complaint was filed on May 6, 2004. The proposed Final Judgment, filed on October 2, 2006, requires DFA to divest its interest in Southern Belle and use its best efforts to cause its partner, the Allen Family Limited Partnership, to divest its interest in Southern Belle as well. Copies of the Amended Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection at the Department of Justice in Washington, DC in Room 215, 325 Seventh Street, NW., and at the Office of the Clerk of the United States District Court for the Eastern District of Kentucky, London, Kentucky.

Public comment is invited within 60 days of the date of this notice. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to Mark J. Botti, Chief, Litigation I Section, Antitrust Division, U.S. Department of Justice,